



A handwritten signature in black ink, appearing to read "Timothy W. Dore".

Timothy W. Dore
U.S. Bankruptcy Court Judge
(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re

JOE A. WASHINGTON, JR.,

Debtor.

In Chapter 7 Proceeding

Case No. 12-11206-TWD

UNITED STATES TRUSTEE,

Plaintiff,

Adv. Proc. No. 12-01536-TWD

vs.

THOMAS A. PREDILETTO; AMY L.
WISHART; DO IT YOURSELF
DOCUMENTS LLC, a Washington
limited liability company; and DIYD,
LLC, a Washington limited liability
company,

Defendants.

STIPULATED FINAL JUDGMENT ON
COMPLAINT FOR DISGORGEMENT OF
ATTORNEY'S FEES, SANCTIONS, AND
INJUNCTIVE AND OTHER RELIEF

STIPULATED FINAL JUDGMENT ON COMPLAINT
FOR DISGORGEMENT OF ATTORNEY'S FEES,
SANCTIONS, AND INJUNCTIVE AND OTHER
RELIEF - Page 1

Office of the United States Trustee
United States Courthouse
700 Stewart Street, Suite 5103
Seattle, Washington 98101
(206) 553-2000
Fax: (206) 553-2566

1 THIS MATTER came before this Court upon the Stipulated Motion for Entry of Final
2 Judgment on Complaint for Disgorgement of Attorney's Fees, Sanctions, and Injunctive And
3 Other Relief ("Motion"). The Court having reviewed and considered the Motion and the Court
4 file, and being otherwise fully advised in the premises; and the parties having stipulated and
5 agreed to the entry of a final judgment on the Plaintiff's Complaint for Disgorgement of
6 Attorney's Fees, Sanctions, and Injunctive and Other Relief ("Complaint"); it is hereby

8 ORDERED, ADJUDGED, AND DECREED as follows:

9 1. The Motion is granted, and all stipulations and agreements contained in the
10 Motion are approved.

11 2. Defendant Thomas A. Prediletto ("Prediletto") shall refund to the debtor, Joe A.
12 Washington., Jr. ("Debtor"), all compensation paid by or on behalf of the Debtor to Prediletto in
13 connection with this chapter 7 case in the amount of \$350, within 10 days after the date of entry
14 of the final judgment.

15 3. Prediletto shall pay a monetary sanction in the amount of \$1,000 by cashier's
16 check or money order payable to the CENTS (Consumer Education and Training Services)
17 Program in Seattle, Washington, to benefit its consumer financial education programs, and shall
18 deliver such payment to the United States Trustee within 10 days after the date of entry of the
19 final judgment. Upon receipt of such payment, the United States Trustee shall remit such
20 payment forthwith to CENTS.
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28 SANCTIONS, AND INJUNCTIVE AND OTHER
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1 4. Prediletto shall not file any new bankruptcy petitions on behalf of debtors in the
2 Western District of Washington, and shall not represent any debtor or any other person in any
3 bankruptcy case in the Western District of Washington, except with respect to pending
4 bankruptcy cases or proceedings in which he presently represents the debtor(s) or other party
5 and/or prospective bankruptcy cases currently in process, in which he has agreed to represent the
6 debtor(s), effective as of the date of entry of the final judgment. Prediletto shall provide to the
7 United States Trustee a complete list of all such prospective cases in process within 10 days after
8 the date of entry of the final judgment.
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10 5. Prediletto is hereby permanently enjoined and prohibited from:
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12 a. Sharing legal fees with Wishart, Do It Yourself, or any other nonlawyer in
13 violation of RPC 5.4(a);

14 b. Continuing to distribute or sell through defendant DIYD, LLC ("DIYD"),
15 or any other entity, any legal self-help books, manuals, and kits that dispense legal advice
16 regarding bankruptcy to consumers, including but not limited to the "Emergency Chapter
17 7 & Chapter 13 Bankruptcy Kit" ("Kit"), in violation of RPC 5.4(b);

18 c. Continuing to receive bankruptcy case referrals from defendant Do It
19 Yourself Documents LLC ("Do It Yourself") and/or defendant Amy L. Wishart
20 ("Wishart") through Do It Yourself's "attorney option" program or to otherwise permit
21 Do It Yourself, Wishart, or any other person who recommends him to render legal
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services for another to direct or regulate his professional judgment in rendering such legal services in violation of RPC 5.4(c); and

d. Assisting any bankruptcy petition preparer ("BPP") or other person, including but not limited to Do It Yourself and Wishart, to engage in the unauthorized practice of law.

6. Prediletto and Wishart shall take all necessary action(s) to dissolve DIYD; and DIYD shall immediately cease doing business of any kind, including but not limited to distributing and/or selling any legal self-help books, manuals, and kits that dispense legal advice regarding bankruptcy to consumers, including but not limited to the Kit.

7. Wishart and/or Do It Yourself shall pay a fine of \$500, by cashier's check or money order payable to the United States Trustee, and shall deliver such payment to the United States Trustee as follows: (a) \$250 within 10 days after the date of entry of the final judgment; and (b) \$250 within 40 days after the date of entry of the final judgment.

8. Wishart and Do It Yourself shall not act as BPPs or otherwise prepare or assist in the preparation of bankruptcy documents for filing in any bankruptcy case, except with respect to pending bankruptcy cases and/or prospective bankruptcy cases currently in process, effective as of the date of entry of the final judgment, without prior notice to the United States Trustee as provided in paragraph 9 below. Wishart and/or Do It Yourself shall provide to the United States Trustee a complete list of all such prospective cases in process within 10 days after the date of entry of the final judgment.

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1 9. In the event that Wishart and/or Do It Yourself intend(s) to act as a BPP in the
2 future, Wishart and/or Do It Yourself shall first provide written notice to the United States
3 Trustee of their intent to so. Thereafter, Wishart and/or Do It Yourself shall provide to the
4 United States Trustee for a period of one year following the United States Trustee's receipt of
5 such notice: (a) a list of all new cases for which Wishart and/or Do It Yourself performed BPP
6 services, on a monthly basis; and (b) copies of all website pages, print advertisements (including
7 but not limited to yellow pages and newspaper advertisements), business cards, brochures, and
8 all other advertisements to be used by Wishart and/or Do It Yourself. In any event, the
9 injunctive provisions of paragraph 10 below shall remain in full force and effect during any time
10 that Wishart or Do It Yourself acts as a BPP.
11

12 10. Wishart and Do It Yourself are hereby permanently enjoined and prohibited from
13 engaging in conduct in violation of sections 110(b), (c), (e), (f), (g), and (h), and any other
14 fraudulent, unfair, or deceptive conduct, pursuant to 11 U.S.C. §110(j), with respect to any case
15 in which Wishart or Do It Yourself acts as a BPP, as follows:
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17 a. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(b) by failing
18 to sign each document for filing and print on the document their names and addresses.
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20 b. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(c) by failing
21 to place an identifying number on each document for filing.
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23 c. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(e)(2) by
24 providing legal advice to any debtor in any bankruptcy case regarding:
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- i. whether or not to file a petition under the Bankruptcy Code;
- ii. which chapter to file under the Bankruptcy Code;
- iii. whether the debtor would be able to discharge his debts;
- iv. whether the debtor would be able to retain his real and personal property;
- v. how to characterize the nature of the debtor's interests in property, including claims of exemption in property, and the debtor's debts; and
- vi. bankruptcy rights and procedures.

d. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(f) by using the word "legal" or any similar term, including but not limited to "paralegal," in advertisements in connection with the preparation of bankruptcy documents for filing, including not limited to any website, business cards, brochures, and print advertisements.

e. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(g) by collecting or receiving payment from or on behalf of the debtor for court fees in connection with the filing of the petition.

f. Wishart and Do It Yourself shall not violate 11 U.S.C. § 110(h)(2) by failing to file together with the petition a declaration under penalty of perjury disclosing any fee received from or on behalf of the debtor within 12 months immediately prior to the filing of the case.

g. Wishart and Do It Yourself shall not provide legal advice or other information to potential bankruptcy debtors on any website regarding claiming exemptions in bankruptcy cases under federal and/or state law, other than providing links to current federal or state exemption statutes available to the public on government-maintained websites.

h. Wishart and Do It Yourself shall not offer an "attorney option" to prospective bankruptcy debtors at a higher price than that charged for standard BPP services, as described in paragraph 14 of the Complaint, or otherwise refer or recommend the services of any attorney to bankruptcy debtors, direct or regulate any attorney's professional judgment in rendering legal services to bankruptcy debtors, or share legal fees with any attorney in connection with a bankruptcy case.

i. Wishart and Do It Yourself shall be permanently enjoined and prohibited from distributing or selling the Kit, directly or through DIYD or any other entity, at any time; and while acting as BPPs, Wishart and Do It Yourself shall not distribute or sell directly or through DIYD or any other entity, any other legal self-help books, manuals, and kits that dispense legal advice regarding bankruptcy to consumers.

11. The provisions of paragraphs 8 through 10 above shall apply to all agents, representatives, employees, servants, associates, affiliates, assigns, and successors of Wishart and/or Do It Yourself.

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12. The Court hereby reserves jurisdiction to enforce the terms of this judgment, impose sanctions, and/or grant further relief to the Plaintiff in the event that the Defendants, or any of them, fail(s) to comply with any of the terms and provisions of the judgment.

///End of Order///

Presented by:

ROBERT D. MILLER JR.
United States Trustee

/s/ William L. Courshon

WILLIAM L. COURSHON, WSBA #20468
Attorney for Plaintiff, United States Trustee

Approved for Entry; Notice of
Presentation ~~Waived~~:

THOMAS A. PREDILETTO
WSBA #2808
Attorney for Defendants

THOMAS A. PREDILETTO
Defendant

AMY L. WISHART
Defendant

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1 Approved for Entry; Notice of
2 Presentation Waived:

3 DO IT YOURSELF DOCUMENTS LLC,
4 a Washington Limited Liability Company, Defendant

5 By: 
6 AMY L. WISHART, Member

7
8 DIYD, LLC,
9 a Washington Limited Liability Company,
10 Defendant

11 By: 
12 AMY L. WISHART, Member

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